IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 469 OF 2005
IN
SECOND APPEAL (ST) NO. 33085 OF 2004

Office Notes, Office Memoranda of of Coram, appearances, Court's orders and Registrar's orders : Court's or Judge's orders

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Mr. P.J. Das for the applicant.

Mr. H.M. Kulkarni holding for Mr. A.M. Kulkarni for the respondents.

CORAM: P.V. KAKADE, J.

DATED: 23RD SEPT., 2005

P.C.:

1. Heard both parties.

2. This is an application for condonation of delay of 315 days' in filing the second appeal. Perused the record. The ground mentioned for delay is said to be that there was drought in the village near the party residence and agricultural activities of the farmers in that region were disturbed and they were shifted to some other place due to which appeal could not be filed in time. In my view, this is quite substantive ground to condone the delay on certain conditions in order to adjudicate the dispute on merits between the parties.

3. Hence, the application is made absolute in terms of prayer clause (a) on condition that the cost of Rs.500/- to be donated to the State Legal Aid Authority within two weeks from today.

With this direction, the application stands disposed with no order as to costs.

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 475 OF 2005
IN
SECOND APPEAL (ST) NO. 33082 OF 2004

Office Notes, Office Memoranda of of Coram, appearances, Court's orders and Registrar's orders : Court's or Judge's orders

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Mr. P.J. Das for the applicant.

Mr. H.M. Kulkarni holding for Mr. A.M. Kulkarni for the respondents.

CORAM: P.V. KAKADE, J.

DATED: 23RD SEPT., 2005

P.C.:

1. Heard both parties.

2. This is an application for condonation of delay of 315 days' in filing the second appeal. Perused the record. The ground mentioned for delay is said to be that there was drought in the village near the party residence and agricultural activities of the farmers in that region were disturbed and they were shifted to some other place due to which appeal could not be filed in time. In my view, this is quite substantive ground to condone the delay on certain conditions in order to

adjudicate the dispute on merits between the parties.

3. Hence, the application is made absolute in terms of prayer clause (a) on condition that the cost of Rs.500/- to be donated to the State Legal Aid Authority within two weeks from today.

With this direction, the application stands disposed with no order as to costs.

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